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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
| 097202, 107 | 03/08/99 | MURAMATSU | E 93195-000082 |

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MM91/1102

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| EXAMINER |
| NGUYEN, D |

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| ART UNIT | PAPER NUMBER |
| 2871 | |

DATE MAILED: 11/02/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/202,107

Applicant(s)

Muramatsu

Examiner
Dung Nguyen

Art Unit
2871



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on Aug 27, 2001

2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-5 and 13-30 is/are pending in the application.

4a) Of the above, claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1-5 and 13-30 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☐ All b) ☐ Some* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15) ☐ Notice of References Cited (PTO-892)

16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____

18) ☐ Interview Summary (PTO-413) Paper No(s). _____

19) ☐ Notice of Informal Patent Application (PTO-152)

20) ☐ Other:

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Response to Amendment

Applicant's amendment dated 08/27/2001 has been received and entered.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 102

1. Claims 1, 5, 13, 17-18, 20 and newly added claims 21, 26 stand rejected under 35 U.S.C. 102(b) as being anticipated by Applicants submitted prior art, Kamakura, JP 52-27398, as stated in the previous office action.

Regarding the above claims, Applicants, again, argue that Kamakura does not disclose a resistance element having an adjustable resistance value for changing the voltage imposed on the liquid crystal display (LCD) (amendment, page 7) as well as how to employ the voltage imposed on the LCD (amendment, page 8). As discussed during the telephone interview (08/14/2001), again, the Examiner is not convinced by this argument since the same is true of the Kamakura's variable resistance (emphasis added). It should be noted that the function of the variable resistance (e.g, potentiometer) is changing the voltage in an electric circuit, so that the Kamakura's variable resistance would perform various voltages to impose on the LCD as well. In addition, Applicants do state that the rotary switch (12) and adjacent resistor elements (4) are used to change the mode of operation of the LCD meter (amendment, page 7). In other words, Applicants agreed that the Kamakura's variable resistance can be adjusted for changing the

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voltage imposed on the LCD meter. It should also be noted that in the LCD display, an image can be display by different mode by controlling the voltage applied on the display through electrodes.

Therefore, the rejection of claims 1, 5, 13, 17-18, 20, 21 and 26 stand.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the resistor element connected to the LCD) are not recited in the rejected claims. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. *In re Van Guens*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Claim Rejections - 35 USC § 103

2. Claims 3-4, 15-16 and newly added claim 25 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Applicants submitted prior art, Kamakura, JP 52-27398 , as stated in the previous office action.

3. Claims 2, 8-9, 13, 19 and newly added claims 22-24, 27-30 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Applicants submitted prior art, Kamakura, JP 52-27398, in view of Nonomura et al., US Patent No. 4,385,292, as stated in the previous office action.

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As noted above, the limitation of claim 1 met. In addition, it would have been obvious to one skilled in the art to form a peripheral circuit having a capacitor since it is a conventional in the art (see specification, page 6, lines 18-22) to assist the operation of an LCD device.

Accordingly, the above claims would have been obvious.

Response to Arguments

4. Applicant's arguments filed 08/27/2001 have been fully considered but they are not persuasive as noted in the above rejections.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Dung Nguyen whose telephone number is (703) 305-0423. The fax phone number for this Group is (703) 308-7722.

Any information of a general nature or relating to the status of this application should be directed to the group receptionist whose telephone number is (703) 308-0956.

DN
10/30/2001



William L. Sikes
Supervisory Patent Examiner
Group 2871